

# STRATEGIZER

A series of technical assistance  
manuals for community coalitions

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## Preventing Youth Access to Alcohol from Commercial Sources



# Preventing Youth Access to Alcohol from Commercial Sources

*Developed by Community Anti-Drug Coalitions of America*

## INTRODUCTION:

Alcohol use by young people is the most serious drug problem facing our nation. In 1995, alcohol caused more than 107 deaths and its economic cost to society exceeded \$166 billion. Alcohol kills more young people than all illicit drugs combined, is a factor in the three leading causes of death among 15-24 year-olds and is a gateway drug to other drugs.

The median age at which children begin drinking is 13. Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence than those who begin drinking at age 21. Nearly one third of high school seniors report having consumed five or more drinks in one sitting in the preceding two weeks.

The ease with which youth can obtain alcohol contributes to an environment that downplays the dangers of alcohol use. It is illegal for persons under the age of 21 to purchase alcohol in all 50 states and the District of Columbia, yet young people consume almost 3.6 billion drinks annually - or 10 million drinks each day. Young people perceive that it is easy to obtain alcohol: three quarters of eighth-graders say it is "fairly easy" or "very easy" to get beer.

The legal status of alcohol creates special opportunities for community coalitions to address the source of alcohol and cut off access through policy measures. State and/or local governments regulate the conditions under which alcohol may be sold,

including hours of operation and types of products that may be sold. Since youth obtain alcohol through both commercial and social sources coalitions should consider policies that impact both types of availability.

Changing, enacting and implementing public policy may be a new approach for some coalitions. Many organizations have more experience with educational and awareness methods of prevention and may question the effectiveness of policy approaches. Policy is an important addition to your coalition's other prevention initiatives.

Environmental policies that shut off youths' access to alcohol focus on adult behavior in a community. While many recent policies target young people who purchase or consume alcohol, fewer efforts have been directed at adults who sell or provide alcohol to youths. Yet the arrest of one adult provider can eliminate the source of alcohol for numerous youth. Such policies seek to hold everyone in the community accountable for underage drinking.

***This strategizer focuses on several key policy areas that coalitions can use in their local communities to improve merchant compliance.*** Citizen groups throughout the country have been successful in implementing these policies and have found them to be effective in reducing underage sales and in making alcohol outlets more responsible to their communities.

## LOCAL LIQUOR LAWS

All states determine the conditions under which alcohol can be sold. Some states control regulation and licensing at the state level, while others grant that authority to local municipalities, such as counties, cities, townships, etc. State and/or local laws determine if alcohol may be sold in liquor stores, convenience stores, grocery stores, drug stores, gas stations, bars, casinos, and restaurants. Some states or local communities allow alcohol to be sold in special settings such as county fairs, festivals, concerts, and other events.

The type of alcohol that can be sold is also regulated. Licenses may permit the sale of all types of alcohol, liquor by the drink, consumption on or off the premises, beer, wine or set-ups. Special licenses may be required for establishments with live entertainment or those that also serve food.

In order to pursue local policy options, your coalition will need to find out which governmental body regulates the sale of alcohol in your community and what laws and regulations already exist. This requires research at both the state and local level. Contact your state, county, or city attorney, city clerks, and the secretary of state to obtain copies of existing local ordinances and state statutes. Licensing divisions and alcohol control departments may also be sources of information on existing laws.

The important next step is to determine if existing laws are adequate, but simply require better enforcement, or whether new policies need to be enacted. Coalitions should begin to develop a work plan that includes one or both strategies.

### POLICY #1 - COMPLIANCE CHECKS

Compliance checks are one of the most effective tools to reduce illegal commercial sales to underage youth. In a compliance check, law enforcement officers send an underage person (or in some states, someone who is 21 but looks younger) into an outlet to attempt to purchase alcohol.

Coalitions that wish to undertake compliance checks should make sure that they check out the laws governing compliance checks (some states do not allow underage persons to participate in the check) and always include law enforcement officials in the planning.

## POLICY IS AN IMPORTANT ADDITION TO YOUR COALITION'S OTHER PREVENTION INITIATIVES.

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While compliance checks can be done for enforcement purposes, they may also be conducted for educational reasons: to highlight the extent of illegal sales in the community. The community at large, including alcohol merchants, frequently does not realize that commercial sales to underage persons are a problem. Many coalitions have used a combination of both methods, first conducting educational checks and then following them up with enforcement checks after the first round was well-publicized.

Compliance checks are important for your community for the following reasons:

- **Commercial outlets are a key source of alcohol for minors.** Experience in many communities has shown that individuals who look younger than age 21 have been able to purchase alcohol without showing age identification in more than 50% of their attempted purchases. In many communities, the percentage of outlets that have sold alcohol to minors has been much higher. After implementing compliance checks many areas have shown significant decreases in sales of alcohol to underage youth.
- **Compliance checks encourage alcohol licensees to police themselves.** Traditional enforcement efforts have focused on penalizing the youth who attempt to purchase alcohol. By conducting compliance checks, the community sends a message to retailers that they are responsible for not making illegal sales. When retailers know that they will be held accountable for illegal sales, they are more inclined to train and supervise their employees to prevent them.
- **Compliance checks can motivate citizen participation and support.** The results of compliance checks can be a tool to involve more people in addressing the problems of underage drinking in your community. Your coalition can publish the results of the compliance checks to let the community, merchants, and elected officials know the percentage of

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outlets that sell alcohol to kids. Your coalition can also use the results to recognize responsible merchants by letting them know that you appreciate their efforts to comply with the law.

Additional information about mandatory compliance checks can be found in CADCA Strategizer #22. Another useful source of information on compliance checks is available on the University of Minnesota's Alcohol Epidemiology Program website at <http://www.epi.umn.edu/alcohol>.

### **POLICY # 2 - ADMINISTRATIVE PENALTIES**

Historically, alcohol control laws have been enforced through the court system. Enforcement efforts usually penalize individual servers or sellers, but not the license holder. In states which allow local control of licensing, administrative penalties make enforcement of the liquor laws a condition of the licensing process (or in some states, the Conditional Use Permit), thus placing responsibility on the license holder. In addition, administrative penalties allow the local government to exact penalties for license violations without having to go through a criminal court procedure, which is often costly and time-consuming. The local city council or county board enforces the licensing laws, rather than the court system.

The types of administrative penalties that local governments can use include fines, license suspension, license revocation, or a combination of those sanctions. The penalty structure should be progressive, becoming more severe with subsequent violations, with license revocation after several violations.

Administrative penalties, while providing an alternative to the criminal court system, do not preclude its involvement. It is possible for a community to pursue both criminal prosecution and administrative penalties. However, in most cases, administrative penalties have advantages over the traditional criminal court process. They are easier to enforce, more cost-effective, timely, efficient, and practical. Most importantly, they hold the licensee responsible for the actions of

employees, thereby encouraging licensees to provide adequate policies, training, and supervision of staff in order to prevent illegal sales.

### **POLICY #3 - AGE IDENTIFICATION**

Age identification policies are a key component of making mandatory compliance checks work. Even though it is illegal to sell alcohol to anyone under the age of 21, underage youth can often easily purchase alcohol with either no age identification or with poor-quality false IDs.

Establishments selling alcohol should be encouraged to check the identification of everyone who appears to be under the age of 30. Checking IDs decreases the potential liability a server or seller could face for selling alcohol to an underage person. An identification policy that is enforced could also reduce the potential liability of the owners of the establishment who might be sued for illegal sales that result in an injury to a third party.

Identification policies should include:

- refusing to sell to persons without a valid ID,
- increasing detection of false IDs, and
- following set procedures when checking each ID such as:
  - checking ID expiration dates,
  - checking the birth date,
  - checking the date the ID was issued,
  - checking the photo for resemblance to buyer,
  - comparing dates on the back with those on the front of the ID, and
  - checking the ID of everyone at the counter or table to make sure they all comply with the age regulations.

Coalitions can contact establishments selling alcohol to inquire about their written alcohol-related policies. If the establishment does not have an identification checking policy, it should be strongly encouraged to adopt one. Additionally, compliance checks and administrative penalties can be put in place to increase the pressure on merchants to enact an ID checking policy.

## **POLICY #4 - MINIMUM AGE OF SELLER**

Age of seller policies require that alcohol servers and clerks be of a minimum age in order to serve or sell alcohol legally. In many states the minimum age of employees who can serve alcohol is lower than the legal minimum purchase age. For example, a state may require employees to be only 16 to work in a convenience store that sells alcohol, or 18 to work as a waitperson in a restaurant that serves alcohol. Only a handful of states require servers and sellers of alcoholic beverages to be 21 years old. Studies have shown that younger servers are less inclined to check identification and more likely to serve underage persons. Minimum age of seller policies help to reduce the likelihood that underage people will obtain alcohol from their peers.

Even though younger employees are more likely to sell alcohol without verifying age identification, many states prohibit raising the minimum age of sellers to 21. Your coalition should investigate state laws before pursuing this policy option. In addition, your coalition should be aware of employment issues of this policy. Issues of fairness to younger workers and the needs of employers for lower cost labor may make this a difficult issue in your community.

## **POLICY #5 - RESPONSIBLE BEVERAGE SERVICES (RBS) TRAINING**

It is important for establishments that serve and sell alcohol to adequately train their employees in the proper procedures to prevent illegal sales. Responsible Beverage Services (RBS) training programs help decrease the number of illegal alcohol sales to underage youth and intoxicated patrons through education programs.

RBS training programs should include:

- instruction on the proper procedures and the importance of checking age ID of customers who appear to be under age 30;
- how to identify fake IDs;
- what to do once false identification is confiscated;
- how to recognize situations in which adults are purchasing alcohol for underage youth;
- how to refuse sales to individuals who may supply alcohol to underage youth;

- how to identify intoxicated customers; and
- how to refuse service to underage youth and intoxicated customers.

RBS training prepares front line staff to prevent illegal sales. It also sends a strong message to employees about management's commitment to prevent illegal sales. RBS training can also help liquor outlets reduce their liability by demonstrating that they take steps to prevent illegal sales. In some states, insurance companies offer reduced liability insurance premiums to establishments that require all of their employees to complete RBS training.

RBS training should be on-going, and either required of all new employees, or required to be repeated on a regular basis. Most insurance companies are moving toward requiring RBS training on an annual basis for all employees, with new employees receiving training when hired. Establishments should develop an on-going training program to deal with the high staff turnover that many of these outlets face. Training should be required for all servers and outlets, including special events and community festivals.

It is important to note that RBS training is only an initial strategy and should be used to build support and momentum for addressing underage drinking problems. Offering RBS training is a non-confrontational way to build up to stronger enforcement of liquor laws. Coalitions should be aware that training needs to be supported by strong policies and community standards.

## **POLICY #6 - WARNING SIGNS IN OUTLETS**

Establishments that sell alcoholic beverages can be required to post alcohol warning signs. These signs should include information related to the legal, social and health consequences of alcohol use. The potential benefits of warning posters depend upon the information provided. Posters should minimally provide the following types of information:

- legal penalties and social consequences of providing alcohol to underage persons;
- legal penalties and consequences of providing alcohol to intoxicated persons;



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- legal penalties of underage possession or consumption of alcohol;
- the establishment's policies regarding checking age identification;
- risks associated with alcohol consumption during pregnancy; and
- risks of consuming alcohol while taking certain medications and/or prior to driving motor vehicles and operating heavy machinery.

When considering the role of warning posters in changing alcohol-related behaviors, it is important to have realistic expectations about their effectiveness. Warning posters alone will probably not change alcohol related behaviors but they can be effective in increasing knowledge and beliefs about the consequences of those behaviors.

Many communities have enacted policies requiring point of purchase warning signs. An ordinance requiring the posting of warning posters should assign responsibility for obtaining and disseminating the posters to a particular governmental agency or department. In addition, a mechanism for enforcement should be outlined in the ordinance.

### **POLICY #7 - BEER KEG REGISTRATION**

Beer kegs are a dangerous source of alcohol for underage drinkers. Keg parties are often “all you can drink” events, and may encourage binge drinking. When law enforcement officers break up a keg party, it is usually difficult to identify an adult responsible for providing the keg to the party. Party-goers scatter and often won't admit or don't know who supplied the keg. Keg registration ordinances provide law enforcement officers a way to trace the purchaser of the keg so that that person can be held accountable.

Keg registration requires kegs to be marked with unique identification numbers. At the time of the keg purchase retailers are required to record the keg

identification number, the purchaser's name, address, phone number and driver's license number. These records must be maintained for a specific amount of time, usually six months to one year.

When a keg is confiscated by police at a party during which underage youth have consumed alcohol, the purchaser of the keg can be identified and arrested or fined for supplying alcohol to underage persons. The deposit fee that is required at the time of sale is forfeited if a keg is returned with an identification tag that is defaced or missing.

Keg purchasers can also be required to sign a statement promising not to serve alcohol to underage individuals. This statement can be used as a tool to educate purchasers about their personal responsibility and potential legal liability.

While keg registration requires record-keeping by the retailer, this policy is directed at the adult who purchases the keg and then provides alcohol to underage persons. Most retailers already require purchasers of kegs to provide identification and pay a deposit.

### **POLICY #8 - SPONSORSHIP RESTRICTIONS**

Sponsorship by alcohol-related companies of events attended by underage youth by sends an inappropriate message to the community. Placing restrictions on the sponsorship eliminates the message that youth need alcohol to have a good time.

Sponsorship has become a popular form of promotion for the alcohol related industry. It may be done by large corporations or even small, community businesses, such as bars or restaurants. These companies may lend their name to an event, may simply donate money in return for some type of public recognition (signs, etc.) or may distribute promotional items with the company logo.

Coalitions seeking to enact an ordinance prohibiting or restricting alcohol-related sponsorship may want to consider different forms of restrictions, including:

- prohibiting alcohol sponsorship of events, auto races, sporting events, and cultural festivals at



which a substantial proportion of the participants will be under 21;

- prohibiting distribution of promotional items at events where a large part of the audience is underage youth;
- prohibiting the use of alcohol brand names from being associated with an event where most of the audience is under 21; and
- prohibiting alcohol signage at events where youth are in attendance.

Restricting alcohol sponsorship, in the short term, may seriously impact events which have relied heavily on support from alcoholic beverage sources. It is essential that coalitions work closely with the community organizations involved in the event to determine how to restrict promotions, and how to replace the revenues lost due to those restrictions.

## **POLICY #9 - RESTRICTING ALCOHOL IN PUBLIC PLACES**

Many communities have restricted the possession or use of alcohol in public parks, beaches, cemeteries, parking lots, or any unsupervised place where teens may congregate. Restrictions may range from total bans on alcohol consumption to restrictions on the time and place at which alcohol may be consumed.

Policies may include some of the following:

- prohibiting possession of an open container of alcohol in public parks and playgrounds;
- requiring monitoring of parking lots by police or business owners; and
- developing a policy to handle intoxicated persons, including removal from the public area.

Establishing enforcement procedures is an important next step. Bans on public drinking should be citywide in order to avoid shifting the problem from one geographic area to another. In addition, the enforcement efforts should include procedures that identify the source of the alcohol.

## **POLICY #10 - RESTRICTIONS AT COMMUNITY EVENTS AND FESTIVALS**

If not managed and monitored properly community events, concerts, sporting events and festivals can be

ready sources of alcohol for underage persons. The servers and sellers at these events often include people who do not regularly serve alcohol and may be unfamiliar with the laws governing its sale or procedures for preventing illegal sales. This can lead to illegal sales to underage youth or to intoxicated persons. Many communities have experienced problems, such as violence, disruptive behavior, and underage drinking due to insufficient controls of alcohol sales at community festivals.

In response, some communities have banned the sale of alcohol at festivals and events altogether. Other communities have limited the area where alcohol can be sold and consumed and only admit people age 21 or older to that area. Communities have also limited the number of drinks any one person can buy during a given time, both to avoid intoxication and the provision of drinks to underage persons. Communities can also require all persons who serve or sell alcohol at festivals to complete RBS training.

If your community requires such festivals to obtain a permit, the restrictions should be a condition of the event permit.

## **POLICY #11 - BANS OR REGULATION ON HOME DELIVERY**

Another source of alcohol for young people is home delivery. Liquor store employees may be less vigilant about checking age identification when they are away from the licensed premises of a store. The delivery person may not be a regular liquor store employee, may be untrained, and not instructed to check age identification. In some college communities, home deliveries of kegs are a common way for underage persons to buy beer.

Some states have attacked this problem by allowing municipalities to ban the sale of kegs. In states where banning kegs is not allowed, strict regulations can be put in place to ensure that delivery people receive and record proof of age identification and document information about the person to whom the alcohol is delivered.

Other restrictions may include:

- requiring that only people age 21 years or older can deliver alcohol to residences;



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- regulating the days of the week and times of the day during which alcohol can be delivered to residential addresses; and
- regulating the amount of alcohol that can be delivered.

Regulations should be state- or county-wide to prevent persons from ordering alcohol from retail outlets that are located in nearby communities without similar regulations.

## SUMMARY

Enacting, changing and monitoring the enforcement of public policy can be a time-consuming, rigorous and people-intensive enterprise. Communities that have successfully enacted such policies have demonstrated their effectiveness in reducing underage access to alcohol. The policies outlined in this strategizer are by no means inclusive of all the types of policies that affect the purchase and consumption of alcohol by underage youth. There is no doubt, however, that vigilance in the area of public policy can help coalitions to curtail this serious problem.

***For additional information about policies to prevent youth access to alcohol from commercial and social sources, check out the following web sites:***

Action on Alcohol and Teens: A Citizen's Group  
**[www.winternet.com/AAT](http://www.winternet.com/AAT)**

Alcohol Epidemiology Program  
University of Minnesota  
**[www.epi.umn.edu/alcohol](http://www.epi.umn.edu/alcohol)**

Center for Science in the Public Interest  
**[www.cspinet.org/booze](http://www.cspinet.org/booze)**

Community Anti-Drug Coalitions of America (CADCA)  
**[www.CADCA.org](http://www.CADCA.org)**

Join Together  
**[www.jointogether.org](http://www.jointogether.org)**

The Marin Institute for the Prevention of Alcohol and Other Drug Problems  
**[www.marininstitute.org](http://www.marininstitute.org)**

For additional information on local policies contact Linda Bosma at the Center for Science in the Public Interest at 202/332-9110, ext. 348 or at **[lbosma@cspinet.org](mailto:lbosma@cspinet.org)**

Community Anti-Drug Coalitions of America is a membership-driven organization put in place to give anti-drug and drug-related violence coalitions technical assistance and support.

The purpose of the *Strategizer Technical Assistance Manuals* is to provide step-by-step guidance on various topics relevant to the work you do in your community each day. We know you are busy, so *Strategizers* are designed to be easy-to-use guides that help to streamline the planning process.

*Strategizers* cover such topics as long-range planning, board and staff development, development of media strategies, marketing planning, fundraising for coalition operations and programs, methods for engaging hard-to-reach populations, and more. For a current list of *Strategiz-*

*er Technical Assistance Manuals* or for additional technical assistance on the topic covered in this *Strategizer*, contact the CADCA staff by writing to:

901 North Pitt Street, Suite 300  
Alexandria, Virginia 22314

or call toll-free: 1-800-54-CADCA

Please notify CADCA regarding the technical assistance needs you may have. Your coalition is on the front line against the ravages of drugs, alcohol and violence.

Keep up the good work!

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